Davidson County DEEDTRS
Recvd: 12/29/04 10:37 2pgs
Fees:13.00 Taxes:216.45
20041229-0153702

Tennessee
Map: #92-6-450

Denise Todd
HFN: #0432865541

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated April 26, 2001, and recorded in REGISTER'S INSTRUMENT: #20010504-0045968, in the Register's Office of Davidson County, Tennessee, Denise Todd and Roger Kelly joint tenants both unmarried people, conveyed to Jack Case Wilson, Trustee(s), the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein mentioned and set forth; and,

WHEREAS, the holder of the debt secured appointed the undersigned as Substitute Trustee by instrument of record in REGISTER'S INSTRUMENT: #20041105-0133772, in the Register's Office of said County; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS, in pursuance of said request by said beneficiary, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of said Deed of Trust by which advertisement the sale was appointed to be held on December 14, 2004, at the outside door of the Register of Deeds office located at 501 Broadway Suite 501, Gaylord Entertainment Center of Davidson County, Tennessee; and,

WHEREAS, at the time and place mentioned in said advertisement the undersigned offered said property for sale at public outcry to the highest and best bidder for cash, at which sale DEUTSCHE BANK TRUST COMPANY AMERICAS, F/K/A BANKERS TRUST COMPANY, AS TRUSTEE, a corporation being the highest and best bidder, became the purchaser of said property at and for the sum of FIFTY EIGHT THOUSAND FIVE HUNDRED DOLLARS AND 00/100; and,

WHEREAS, the purchaser, being the holder of the indebtedness, has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by DEUTSCHE BANK TRUST COMPANY AMERICAS, F/K/A BANKERS TRUST COMPANY, AS TRUSTEE of the sum of money so paid, receipt of which payment is hereby acknowledged, the undersigned, Arnold M. Weiss, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said DEUTSCHE BANK TRUST COMPANY AMERICAS, F/K/A BANKERS TRUST COMPANY, AS TRUSTEE, its successors and assigns in fee simple forever, the property above mentioned and now further described as being in NASHVILLE, COUNTY OF DAVIDSON, State of Tennessee, to-wit:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOTS NO. 42 AND SIXTEEN FEET OF THE EAST SIDE OF LOT NO. 41 IN FALCONER AND ASHCRAFTS SUBDIVISION OF LOTS 18 AND 19, IN THE BOYD MCNAIRY TRACT, A PLAN OF WHICH IS OF RECORD IN BOOK 57, PAGE 121, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

SUBJECT TO ALL RESTRICTIONS OF RECORD, ALL EASEMENTS OF RECORD, ALL VISIBLE EASEMENTS, ALL MATTERS APPEARING ON THE PLAN OF RECORD, ALL APPLICABLE GOVERNMENT AND ZONING REGULATIONS.

DENISE TODD AND ROGER KELLY, BOTH UNMARRIED, AS JOINT TENANTS WITH THE RIGHT OF SURVIVORSHIP, THEIR HEIRS AND ASSIGNS, obtained title to the above referenced real estate by Deed of record in REGISTER'S INSTRUMENT: #20010504-0045967, Register's Office of Davidson County, Tennessee.

Subject to any unpaid taxes.

TO HAVE AND TO HOLD the real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto DEUTSCHE BANK TRUST COMPANY AMERICAS, F/K/A BANKERS TRUST COMPANY, AS TRUSTEE, with full power in trustee to sell, mortgage, lease, convey, or otherwise dispose of said property, any purchaser, lessee or encumbrancer being hereby expressly relieved of the necessity of looking to the application of the proceeds of any such sale, lease, mortgage or other disposition, and unto the successors and assigns of the said trustee in fee simple forever, to whom the said Arnold M. Weiss, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

The said Substitute Trustee has applied the consideration as follows:

Recording Appointment of Substitute Trustee	22.00
Publication Expense	255.00
Attorney's Fees and Trustees Fees	550.00
Credit on Note	57,673.00
	$58,500.00

Whenever used, the singular number shall include the plural, the plural the singular, the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the said Arnold M. Weiss, Substitute Trustee, has on December 14, 2004 hereunto set his hand and seal.

ARNOLD M. WEISS, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On December 14, 2004 before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Arnold M. Weiss to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Substitute Trustee and as his free act and deed.

WITNESS my hand and Notarial Seal at office the day and year above written.

Marci Harper
NOTARY PUBLIC

MARCI HARPER NOTARY PUBLIC AT LARGE SHELBY CO. TN MY COMM. EXP. 6-3-05

MY COMMISSION EXPIRES:

STATE TAX $
CLERK'S FEE $

TOTAL $

PROPERTY ADDRESS
2706 BATAVIA STREET
NASHVILLE, TENNESSEE 37208

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:

DEUTSCHE BANK TRUST COMPANY AMERICAS
C/O HOMECOMINGS FINANCIAL NETWORK
9350 WAXIE WAY
SAN DIEGO, CA 92123

MORTGAGEE: NONE

THIS INSTRUMENT PREPARED BY:
ARNOLD M. WEISS
ATTORNEY AT LAW
208 ADAMS AVENUE
MEMPHIS, TENNESSEE 38103

RETURN TO:→

STATE OF TENNESSEE - COUNTY OF SHELBY
THE ACTUAL CONSIDERATION OF TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS
$ 58,500.00
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE DAY OF
December 14 20 04
NOTARY PUBLIC Marci Harper
MY COMMISSION EXPIRES 6-3-05

MARCI HARPER NOTARY PUBLIC AT LARGE SHELBY CO. TN MY COMM. EXP. 6-3-05